

Recommendation, the Court need not conduct a *de novo* review of plaintiff's claims. 28 U.S.C. § 636(b)(1)(C); *Thomas v. Arn*, 474 U.S. 140, 150-53, 106 S.Ct. 466 (1985). Nonetheless, the usual practice of the district court is to give "reasoned consideration" to a magistrate judge's report prior to adopting it. *Henderson v. Carlson*, 812 F.2d 874, 878 (3d Cir. 1987);

[7] having examined the Magistrate Judge's Report and Recommendation, we agree with his recommendation to deny plaintiff's appeal. We concur with the Magistrate Judge's analysis of the issues raised in plaintiff's appeal and find the Magistrate Judge's review of the record to be comprehensive;

[8] because we find that the Magistrate Judge adequately addressed the issues raised by plaintiff, we will adopt the Magistrate Judge's recommendation to deny the plaintiff's appeal.

ACCORDINGLY, IT IS HEREBY ORDERED THAT:

[1] The Report and Recommendation of Magistrate J. Andrew Smyser dated April 20, 2007 (Doc. 10) is **adopted**;

[2] the plaintiff's appeal is denied; and,

[3] the Clerk of Court is directed to close this case, and forward a copy of this Memorandum and Order to the Magistrate Judge.

s/Edwin M. Kosik
United States District Judge